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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/632,286	STRATHMEYER, CARL R.
Office Action Summary	Examiner	Art Unit	
	Xavier Szewai Wong	2416	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>4th December 2008</u>.

2a)☒ This action is FINAL.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-26</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-26</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claims **1-26** are pending

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims **1, 2, 3, 5, 9, 13, 16, 19, 21** and **24** are rejected under 35 U.S.C. 102(b) as being anticipated by Sassin et al (US 6449260 B1, "Sassin").

Claims **1, 16** and **19**: Sassin shows a system, comprising computer-readable storage medium including stored computer program instructions, performing a method, when executed by a computer result in the computer managing information (fig. *1*), comprising:

receiving a first request for caller information at a web server during a call session initiated in response to a telephone call from a caller (col. 3 lines 44-47);

retrieving call information associated with said call session at said web server (col. 3 lines 33-38);

retrieving said caller information at said web server directly from a caller database using said call information, said caller information comprising an interactive voice response script *or* a web page template associated with said caller (col. 3 lines 20-24 & 44-50; col. 8 lines 35-41);

retrieving call context information from a computer-telephony integration server that has registered said telephone call (col. 8 lines 12-18);

generating a dynamic web page at said web server from a plurality of web page templates using said caller information and said call context information, said plurality of web page

templates selected at said web server by a selection module (col. 8 lines 35-47); and

      sending said web page in response to said first request (col. 8 lines 38 & 44).

      Claims **2, 13** and **24**, applied to claims **1, 2** and **23**: Sassin discloses retrieving the first

request comprises a first identifier (col. 3 lines 39-47; requests ↔ e-mail address, call back number);

sending a second request to a call database using the first identifier (col. 3 lines 51-55 & col. 4 lines

60-63); receiving the call information in response to the second request (col. 4 lines 63-65).

      Claims **3** and **5**, applied to claims **2** and **4**: Sassin further shows the first identifier

identifies a telephone line for the call session (col. 7 lines 20-31); and the second identifier

represents information provided by a caller and stored in a caller database (col. 8 lines 26-30).

      Claim **9**, applied to claim **1**: Sassin further mentions the dynamic web page is a script for

an IVR system (col. 3 lines 15-24; col. 10 lines 27-38).

      Claim **21**, applied to claim **20**: Sassin further mentions the media server comprises IVR

system (col. 2 lines 11-24).

Claim Rejections - 35 USC § 103

      The text of those sections of Title 35, U.S. Code not included in this action can be found

in a prior Office action.

      Claims **1 – 26** are rejected under 35 U.S.C. 103(a) as being unpatentable over Burger et al

(US 7149287 B1, "Burger") in view of Fraser (US 2004/0047453 A1) and in further view of

Khouri et al (US 2003/0069937 A1, "Khouri").

Claims **1**, **16**, **18** and **19**: Burger shows a system, comprising computer-readable storage medium including stored computer program instructions that when executed by a computer result in the computer managing information (fig. *1*), comprising:

a communications web interface at a web server to receive a first request for caller information during a call session initiated in response to a telephone call from a caller (col. 6 lines 38-47; col. 7 lines 5-17; HTTP GET request to voice application server *14*) or (col. 9 lines 55-59; SIP INVITE which comprises of a "from" calling number);

retrieve call information associated with the call session at the web server (col. 7 lines 61-66; application server *86* = voice application server *14*);

a script generator to retrieve the caller information comprising an interactive voice response (IVR) script or a web page template associated with the caller (col. 7 lines 20-23; col. 5 lines 16-18; VoiceXML).

Burger do not very *expressively* show:

retrieving call information *directly* from a caller database using the call information; retrieving call context information from a *computer-telephony integration* (CTI) server that has registered the telephone call; generating a web page *by a web page generator* from a *plurality of web page templates* using the caller information and the *call context information* wherein the plurality of web page templates selected at the web page generator by a *selection module*; and sending the web page in response to the first request.

Fraser shows retrieving call information *directly* from a caller database using call information ([0022] lines 13-18; fig. 1: IVR server *4* & host server *1 directly* retrieving scripts from databases *2* & *3* based on user requirements, which is interpreted as call information); generating a

dynamic web page *by a web page generator* from a *plurality of web page* templates using the

caller information wherein the plurality of web page templates selected at the web page generator

by a selection module ([0022] lines 19-29; [0024] lines 1-6; [0026] lines 1-3 & line 13 to [0027]; select

from plurality of VPP script (templates) in database). It would have been obvious to one of ordinary

skill in the art at the time the invention was made to modify the web and IVR server(s) structure

of Burger to have direct access to voice templates based on call (or user) information from a

directly connected database wherein plural web templates are stored to generate a webpage based

on the call (or user) information as taught by Fraser to allow a caller or user to control interaction

they have with an automated response system and to select and identify information requested

([0004]).

   However, retrieving of *call context* information from a *computer-telephony integration*

(CTI) server that has registered the telephone call and using the *call context information* as a

criterion for webpage selection and generation are not very *clearly* mentioned by Burger or

Fraser.

   Khouri discloses in figure *3* a CTI server *56* connected to a telephony and web servers (*54*

& *64*) wherein the telephony server generates a web page containing a caller phone number and

other information about the identified caller ([0036] lines 1-6); wherein the web page is controlled

(or interpreted as selected) by the CTI server ([0037] lines 1-6), in other words, the CTI server must

have sent some sort of call context information to the telephony/web server in order to control or

select the web pages to be shown based on the identified (registered) caller. It would have been

obvious to implement a CTI server of Khouri to connect with the web server of Burger, modified

by Fraser, to help select web pages based on call context information and allow easier connection

for a user to a certain web site ([0005]).

Claim **23** is rejected in the same grounds as claims **1**, **16** and **19** except for an antenna at

the web server to retrieve call information. The examiner takes official notice that modifying the

web server of Burger, modified by Fraser and Khouri, into a radio or wireless web server, which

must comprise of an *antenna*, would have been an obvious improvement that could have been

made at the time the invention was created to allow *remote* interactive voice response devices to

send and receive web pages to and from *remote* computer systems conveniently.

Claims **2**, **13** and **24**, applied to claims **1**, **2** and **23**: Burger, modified by Fraser and

Khouri, disclose retrieving the first request (e.g. SIP INVITE) comprises a first identifier (col. 7

lines 5-12; [94] SIP INVITE which comprises a dialing number in fig. *8*); sending a second request

(e.g. [96] SIP INVITE) to a call database (e.g. in media server *88*) using the first identifier (col. 7

lines 12-14); receiving the call information in response to the second request (col. 7 lines 14-24).

Claims **3** and **5**, applied to claims **2** and **4**: Burger, modified by Fraser and Khouri, further

shows the first identifier (from [94] SIP INVITE) identifies a telephone line for the call session

(col. 7 lines 5-9; fig. 8: [90] dialing number → [92] routing request → [94] SIP INVITE); and the

second identifier represents information provided by a caller and stored in a caller database (col.

7 lines 51-57; PIN stored in media server).

Claims **4**, **6**, **7**, **8**, **14**, **15** and **25**, applied to claims **1**, **4**, **6** and **23**: Burger, modified by

Fraser and Khouri, further disclose retrieving a second identifier (e.g. PIN and client "account"

identification) from the first request (col. 7 lines 51-57); sending a third request to the caller

database (e.g. in media server) and receiving caller information in response to the third request (fig.

8: [112]).

Claim **9**, applied to claim **1**: Burger, modified by Fraser and Khouri, further mentions the

dynamic web page is a script for an IVR system (col. 5 lines 16-18; col. 10 lines 9-13; fig. 10: App

server dynamically generates VXML script).

Claim **10**, applied to claim **1**: Fraser further discloses receiving telephone call to initiate

call session ([0045] lines 3-5 & 9-11); registering the telephone call with a call database ([0045]

lines 16-24 & [0047] lines 1-5); receiving a request from a caller for caller information ([0047] lines

5-13); and sending first request to the web server for the caller information ([0047] lines 17-22:

controller/host server *1*).

Claims **11** and **12**, applied to claim **10**: see claim **20** rejection.

Claim **20**, applied to claim **19**: Burger, modified by Khouri, discloses a media server to

reproduce the web page to a caller in an audible form (col. 5 lines 48-55) and a telephone system

to create the call session between the caller and media server (col. 7 lines 43-46 & 61-64). Yet, a

call database to store call information for the call session and retrieving (at said communications

web services interface) information from *both* the call database and said caller database during the

call session and sending the information to the web page generator have not been very

expressively mentioned. Fraser shows a VPP user database (fig. *1*: database *3* as a call database) for

storing call information during a call session ([0028] lines 1-11: user telephone connected to IVR

server and retrieve user info from database *3*) and using the call information from database *3* to

retrieve caller information from database *2* scripts store to generate the caller web page ([0028]

lines 11-16). It would have been obvious to one of ordinary skill in the art at the time the

invention was created to add a call database to store and send call information as shown by

Fraser in addition to said caller database of Burger, modified by Khouri, to generate specific

script in dependence on recorded data in which a plurality of scripts are stored ([0005]).

Claim **21**, applied to claim **20**: Burger, modified by Fraser and Khouri, further mentions

the media server comprises IVR system (col. 5 lines 16-22 & col. 7 lines 20-24).

Claim **22**, applied to claim **20**: Khouri further mentions the telephone system comprises

of a PBX or ACD [0017].

Claim **26**, applied to claim **23**: Burger, modified by Fraser and Khouri, further disclose

retrieving a second identifier (e.g. PIN) from the first request (col. 7 lines 61-66), sending a second

request to the caller database using the second identifier (col. 7 lines 66 – col. 8 lines 1-5; check),

and receiving the caller information in response to the second request (col. 8 lines 12-17; establish

call with client code).

Response to Arguments

Applicants' arguments filed on 4th December 2008 have been considered but are not

persuasive.

Applicants argue that **Sassin** does not teach "receiving a first request for caller

information at a web server during a call session *initiated in response to a telephone call* from a

caller" (remarks, pg. 11). **Sassin** mentions in, specifically, column 3 lines 44-47 "callers may

access the call distribution system through the internet. Web based inquiries ... are received by a

web server" and, lines 47-50 states "Requests for call-back received on the World Wide Web are

supplied ... call the customer back." It is interpreted that a telephone caller makes a call through

web-based means (e.g. telephone 78 or computer 90 caller makes the call in fig. 1) and the call

invokes inquiries and call-back requests about the caller (e.g. col. 3 lines 56-59: calls originated from PSTN telephone or remote computer). Further, it is well-known in the art of communication that telephone caller's call can be *web-based*, which means a computer can act as a telephone and place calls through the internet, and can invoke a callee to request for the telephone caller's identification. **See also: **Sassin** et al (US 6249576 B1): web-based telephone directory with call completion capability includes receiving a search request from computer (callee), a server responds to the search request and transmits the results of the search to the computer (col. 7 line 63 – col. 8 line 5).

Applicant further argue that neither **Burger, Fraser** nor **Khouri** teach "generating a dynamic web page at said web server from a plurality of web page templates using said caller information and said caller context information, said plurality of web pages templates selected at said web server by a selection module" (remarks, pg. 12). **Fraser** teaches "generating a dynamic web page at said web server from a plurality of web page templates using said caller information, said plurality of web pages templates selected at said web server by a selection module" in paragraph 0022, specifically, in lines 16-21 wherein **Fraser** states "… controller presents customisation pages to users on demand … updates and writes VPP scripts (e.g. templates) and *dynamically generates web pages* containing individual information" and in paragraph 0024, specifically, in lines 1-5 & 7-9, **Fraser** further states "*IVR server* hosts the voice portal service and has a *communications interface* which enables the IVR server to communicate with the scripts store … instructions for implementing a user's <u>customized</u> interaction." It is interpreted that the IVR server, through the communications interface, selects a customized script (from a plurality of scripts) for the user, and, read on as "plurality of web pages templates selected at said

web server by a selection module." **Khouri** is brought in to explicitly emphasize on the "*call context information* from a CTI server as a <u>criterion</u> for webpage selection (office action 09.04.2008, pg. 6)" which is taught in paragraph 0036, specifically, in lines 1-3, wherein **Khouri** states "telephony server (CTI server) generates a web page containing the caller's telephone number and <u>other information</u> (context) about the caller."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

1. **Ryan** et al, US 2004/0215793 A1: a system providing automated dialing via a Public Switched Telephone Network (PSTN) through a web-based function allowing the user to request the telephone network to make a call to two or more entities involved in a predetermined activity and connect them via a bridge in the networking the network. Automation through Internet telephony would allow the user to directly initiate an Internet telephony call to the desired parties

2. **Jawahar** et al, US 6981256 B2: a method includes the step of establishing a collaboration session between a first client and a second client; wherein a requested resource is cached with the session host in response to a request having a first uniform resource locator (URL) issued by the first client, if the requested resource is a pre-determined type of resource, wherein the pre-determined characteristic of the requested web page corresponds to at least one from group including a dynamically-generated web-page, an expiration date of the requested web page being a future date, and the requested web page being associated with a filename having a specified characteristic

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xavier Wong whose telephone number is 571.270.1780. The examiner can normally be reached on Monday through Friday 8:30 am - 6:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571.272.3174. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866.217.9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800.786.9199 (IN USA OR CANADA) or 571.272.1000.

/Xavier Szewai Wong/   /Kevin C. Harper/
x.s.w   Primary Examiner, Art Unit 2416
3rd March 2009